

AMENDED IN SENATE APRIL 5, 2006

**SENATE BILL**

**No. 1240**

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**Introduced by Senator Hollingsworth**

*(Principal coauthors: Assembly Members Bermudez and Garcia)*

***(Coauthors: Senators Battin and Cox)***

*(Coauthors: Assembly Members Bogh, Cogdill, Daucher, Shirley  
Horton, Spitzer, and Vargas)*

February 7, 2006

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An act to add Section 13887.5 to the Penal Code, relating to SAFE teams, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1240, as amended, Hollingsworth. SAFE teams.

Existing law authorizes the establishment of county and regional Sexual Assault Felony Enforcement (SAFE) teams to reduce violent sexual assault offenses.

This bill would *require the Corrections Standards Authority to develop and administer a competitive grant program whereby counties and regional authorities would apply for grants to develop a multiagency sex offender containment and control strategy designed to enhance community safety using a collaborative and integrated approach for controlling and containing sex offenders in the community that maximizes public resources. The bill would appropriate—\$15,000,000 an unspecified amount from the General Fund to the Controller for distribution to county sheriffs counties and regional authorities for the implementation of county and regional SAFE team programs, as specified.*

The bill would also set forth the findings and declarations of the Legislature in this regard.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature hereby finds and declares the  
2 following:

3 (a) Habitual sexual assault offenders pose a significant risk to  
4 the welfare and safety of the residents of California.

5 (b) Predatory sex offenders frequently travel to areas outside  
6 of the jurisdictions in which they reside to evade surveillance and  
7 possible arrest by local law enforcement agencies for probation  
8 or parole violations.

9 (c) Recent data shows that approximately 44 percent of sexual  
10 predators are not registering as required under Megan's Law, and  
11 law enforcement officials are unaware of their current location.

12 (d) The Legislature has encouraged the formation of regional  
13 law enforcement task forces consisting of officers and agents  
14 from several law enforcement agencies organized for the explicit  
15 purpose of reducing violent sexual assaults through proactive  
16 surveillance and arrests of habitual sexual offenders.

17 (e) The funding of the Sexual Assault Felony Enforcement  
18 (SAFE) Teams is critical to tracking sexually violent predators  
19 and protecting the welfare and safety of Californians.

20 ~~SEC. 2. (a) The sum of fifteen million dollars (\$15,000,000)~~  
21 ~~is hereby appropriated from the General Fund to the Controller~~  
22 ~~for distribution to county sheriffs for the implementation of~~  
23 ~~county and regional SAFE team programs pursuant to Chapter~~  
24 ~~9.7 (commencing with Section 13887) of Title 6 of Part 4 of the~~  
25 ~~Penal Code.~~

26 ~~(b) No county may use funds provided pursuant to this act to~~  
27 ~~supplant any other sources of funding.~~

28 SEC. 2. Section 13887.5 is added to the Penal Code, to read:

29 13887.5. (a) The Corrections Standards Authority shall  
30 establish standards by which grants are awarded on a  
31 competitive basis to counties for SAFE teams. The authority shall

1 *issue a Request for Proposals for counties or regional authorities*  
2 *to compete in developing a multiagency sex offender containment*  
3 *and control strategy designed to enhance community safety and*  
4 *demonstrating a collaborative and integrated approach for*  
5 *controlling and containing sex offenders in the community that*  
6 *maximizes public resources.*

7 *(b) Successful grant applicants shall demonstrate all of the*  
8 *following:*

9 *(1) An assessment of existing law enforcement resources that*  
10 *can be employed to specifically target sex offenders.*

11 *(2) A strategy for identifying those registered sex offenders*  
12 *who pose a significant risk to public safety, and prioritizing*  
13 *resources to address those persons.*

14 *(3) Specific programs that are proposed to be funded with*  
15 *grant moneys, including the projected amount of funding for*  
16 *each program.*

17 *(4) Specific objectives of the programs proposed for funding*  
18 *and specified outcome measures to determine the effectiveness of*  
19 *the programs. Outcome measures of the programs proposed to*  
20 *be funded shall include, but not be limited to, all of the following:*

21 *(A) The effectiveness of control and containment prevention*  
22 *strategies, by identifying whether the rate of arrests of registered*  
23 *sex offenders for sex offenses during the funded period in the*  
24 *jurisdiction of the grantee has decreased compared to the*  
25 *previous five years.*

26 *(B) The effectiveness of control and containment enforcement*  
27 *strategies, by identifying whether the rate of sex offender*  
28 *compliance with the registration requirements of Section 290 has*  
29 *increased in the grantee's jurisdiction compared to the previous*  
30 *five years.*

31 *(C) The effectiveness of control and containment enforcement*  
32 *strategies, by identifying the number of sex offenders arrested in*  
33 *the grantee's jurisdiction for violating the registration*  
34 *requirements of Section 290.*

35 *(D) Quantification of the annual costs of the program.*

36 *(E) Any additional information that the applicant deems*  
37 *relevant to the application.*

38 *(c) Programs funded by these grants shall satisfy all of the*  
39 *following requirements:*

1     (1) *Be based on programs and approaches that have been*  
2 *demonstrated to be effective in controlling and containing sex*  
3 *offenders in the community.*

4     (2) *Collaborate with, and integrate services of all available*  
5 *law enforcement resources.*

6     (3) *Employ information sharing systems to ensure that county*  
7 *actions are fully coordinated, and designed to provide data for*  
8 *measuring the success of sex offender control and containment*  
9 *programs and strategies.*

10    (4) *Adopt goals related to outcome measures that shall be*  
11 *used to determine the effectiveness of the local sex offender*  
12 *control and containment strategy.*

13    (d) *Each county that receives a grant shall report, beginning*  
14 *January 1, 2008, and annually thereafter, to the appropriating*  
15 *body and the Corrections Standards Authority, in a format*  
16 *specified by the Corrections Standards Authority, on the*  
17 *programs funded pursuant to this chapter and program outcomes*  
18 *as specified above.*

19    (e) *Grants shall be awarded consistent with the following:*

20     (1) *Funding shall be used to supplement, rather than supplant,*  
21 *existing programs.*

22     (2) *Grant funds shall be used for programs that are identified*  
23 *in the local action plan. No grant shall be awarded unless the*  
24 *applicant makes available resources in an amount equal to at*  
25 *least 25 percent of the amount of the grant.*

26     (3) *Resources may include in-kind contributions from*  
27 *participating agencies.*

28     (4) *Priority shall be given to those proposals which include*  
29 *additional funding that exceeds 25 percent of the amount of the*  
30 *grant.*

31     (5) *Priority consideration shall be given to counties or regions*  
32 *that can demonstrate all of the following:*

33       (A) *A high per capita number of sex offenders in a region.*

34       (B) *The risk levels of those offenders.*

35       (C) *The stated needs of the project.*

36       (D) *The use of similar programs that have proven successful.*

37    (f) *The Corrections Standards Authority shall compile the*  
38 *local reports and annually report to the Governor and the*  
39 *Legislature on the use of grant moneys.*

1     SEC. 2. *The sum of \_\_\_\_\_ is hereby appropriated from the*  
2 *General Fund to the Controller for distribution to counties and*  
3 *regional authorities for the purposes of Chapter 9.7*  
4 *(commencing with Section 13887) of Title 6 of Part 4 of the*  
5 *Penal Code.*

6     SEC. 3. This act is an urgency statute necessary for the  
7 immediate preservation of the public peace, health, or safety  
8 within the meaning of Article IV of the Constitution and shall go  
9 into immediate effect. The facts constituting the necessity  
10 are:~~[PU (DF 21, Revised 12/94) PU RN0301132]~~ are:

11     In order to protect the citizens of our state, particularly  
12 children, from sexually violent predators, it is necessary that this  
13 act take effect immediately.